

Workplace Violence Prevention

INFORMATIONAL BULLETIN

EXECUTIVE SUMMARY As of June 1, 2024

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This Bulletin is an overview of the Workplace Violence Prevention section of [California Senate Bill 553](#). SB 553 amended [Labor Code § 6401.7](#), which now requires employers to develop and implement a Workplace Violence Prevention Plan starting July 1, 2024.

The Workplace Violence Prevention Plan includes the following sections:

- ▶ Prohibiting employee retaliation.
- ▶ Accepting and responding to reports of workplace violence.
- ▶ Employee workplace violence training and communication.
- ▶ Emergency response.
- ▶ Workplace violence hazard assessments.
- ▶ Recordkeeping requirements, such as maintaining a Violent Incident Log.

Below are the elements that are required to be included in your written Workplace Violence Prevention Plan:

- ▶ The names of the people responsible for its implementation.
- ▶ Effective procedures for employee involvement in developing and implementing the plan.
- ▶ Methods to coordinate implementation of the plan with other employers, when applicable.
- ▶ Procedures for employers to handle and respond to reports of workplace violence while ensuring no retaliation against the reporting employee.
- ▶ Procedures to ensure compliance from employees, including supervisors.
- ▶ Procedures to communicate with employees regarding workplace violence matters.
- ▶ Emergency response protocols.
- ▶ Training provisions.

- ▶ Procedures to identify and evaluate workplace violence hazards that include inspections with the following frequency:
 - When the plan is first set up.
 - Periodically scheduled.
 - After violent incidents.
 - Whenever a new hazard becomes known.
- ▶ Procedures to timely correct workplace violence hazards identified and evaluated.
- ▶ Procedures for post-incident response and investigation.
- ▶ Procedures that allow for plan review.
 - Annually.
 - When a deficiency is observed or becomes apparent.
 - After a workplace violence incident.

NOTE: Leavitt Pacific has developed a model program that can be used to help develop your own program.

The plan must be in effect at all times and in all work areas and be specific to the hazards and corrective measures for each work area and operation and may be incorporated as a stand-alone section in the written injury and illness prevention program.

The next item that employers need to be aware of with respect to this program is the Training Requirements that employers will have to comply with as part of the Workplace Violence Prevention Plan. Those requirements are spelled out in the regulation as follows:

Employers must provide effective training and ensure that training materials are easy to understand and match the workers' education, reading skills, and language.

Employers must provide employees with initial training and annually thereafter.

When new or previously unidentified workplace violence hazards are discovered, or changes are made to the plan, the employer must provide additional training that focuses on the specific hazard or plan modifications.

The specific training topics required to be covered include the following:

- ▶ Familiarizing employees with the company's written Violence Prevention Plan.
- ▶ How to obtain a copy of the company's written Violence Prevention Plan.
- ▶ How to participate in the development and implementation of the company's written Violence Prevention Plan.
- ▶ Definitions and requirements of Labor Code section 6401.9.
- ▶ How to report workplace violence incidents without fear of retaliation.
- ▶ Understanding of job-specific violence hazards and preventive measures.
- ▶ Purpose of the violent incident log and how to obtain related records.

- ▶ Opportunities for interactive discussions with someone knowledgeable about the employer's plan.

There are particular employer responsibilities that go along with this program with respect to recordkeeping requirements.

Recordkeeping requirements include:

- ▶ The plan must be in writing and easily accessible to employees, authorized employee representatives, and Cal/OSHA representatives.
- ▶ Records of workplace violence hazard identification, evaluation, and correction must be created and maintained for a minimum of five years.
- ▶ Training records must be created and maintained for a minimum of one year.
- ▶ Violent incident logs must be maintained for a minimum of five years.
- ▶ Records of workplace violence incident investigations must be maintained for a minimum of five years.

Here are some links to some useful resources that you can use in developing your program.

[Cal/OSHA Workplace Violence Prevention Guidance and Resources](#)

[Occupational Safety and Health \(OSHA\) Workplace Violence webpage](#)

[Center for Disease Control and Prevention, The National Institute for Occupational Safety and Health \(NIOSH\), Occupational Violence Resources webpage](#)

[Washington State Department of Labor & Industries. Workplace Violence Awareness and Prevention for Employers and Employees](#)

[U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics: Indicators of Workplace Violence, 2019 report](#)

[Center for Disease Control and Prevention, NIOSH Science Blog: Highlights from a New Report on Indicators of Workplace Violence, 2022](#)

[U.S. Department of Labor, Women's Bureau: Gender-Based Violence and Harassment in the World of Work, 2023](#)